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**M-02-1871**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF APPLICATION  
FOR ARREST WARRANT

-against-

PEDRO ANTONIO SANTOS  
also known as Anthony,

(21 U.S.C. §§ 960 &  
963)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

WILLIAM E. DAVIS, being duly sworn, deposes and says  
that he is a Special Agent with the Drug Enforcement  
Administration ("DEA"), duly appointed according to law and  
acting as such.

Upon information and belief, on or about and between  
September 2001 and February 2002, within the Eastern District of  
New York and elsewhere, the defendant PEDRO ANTONIO SANTOS, also  
known as Anthony, together with others, did knowingly and  
intelligently conspire to import into the United States from a  
place outside thereof a substance containing MDMA, a Schedule I  
controlled substance, in violation of Title 21 U.S.C. § 952.

(Title 21, United States Code, Sections 960 & 963).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. I have been an Agent with the DEA for approximately five years. During my tenure with the DEA, I have investigated various federal and state criminal violations including narcotics trafficking. During the course of those investigations, I have conducted physical surveillance, debriefed cooperating witnesses and confidential informants and interviewed civilian witnesses.

2. On or about January 13, 2002, your deponent interviewed Cooperating Witness #1 ("CW #1), who was arrested earlier that day at John F. Kennedy Airport ("JFK") with 11,000 MDMA pills in his/her suitcase. CW #1 indicated that this was his/her third trip carrying ecstasy from Belgium to the United States. This information was verified by CW#1's passport and Customs records.

3. CW#1 further stated that s/he was hired by Gady Pichardo Hilario<sup>2</sup>, the leader of a large MDMA organization in Belgium, to bring 20,000 MDMA pills to the United States from Belgium. Pichardo Hilario also told CW#1 that once CW#1 arrived

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1. Because the purpose of this Complaint is only to state probable cause, I have not described all the relevant facts and circumstances of which I am aware.
  2. The United States Government is currently in the process of extraditing Pichardo Hilario from Belgium. An arrest warrant for Pichardo Hilario was signed by the Honorable Roann L. Mann on July 16, 2002 for conspiring to import MDMA into the Eastern District from Belgium.

in New York CW#1 should call Anthony to arrange to pick up United States Currency from Anthony. Pichardo Hilario further told CW#1 that Anthony owed Pichardo Hilario money for MDMA pills which Pichardo Hilario had previously provided to Anthony to take from Belgium to the United States. Pichardo Hilario gave CW#1 a phone number at which to contact Anthony in Boston, Massachusetts.

4. CW#1 also informed your deponent that on October 16, 2001, CW#1 had come to the United States from Belgium carrying 20,000 MDMA pills<sup>3</sup>. CW#1 then advised your deponent that s/he called the phone number provided by Pichardo Hilario and spoke with an individual who identified himself as Anthony. CW#1 said s/he was calling on behalf of Pichardo Hilario and asked Anthony if he had money for Pichardo Hilario. Anthony indicated that he did have money for Pichardo Hilario and that he would meet CW#1 at CW#1's hotel room in a few days. CW#1 indicated that s/he waited for Anthony for a few days and Anthony never came. Thereafter CW#1 went back to Belgium.

5. CW#1 further informed your deponent that some time in December of 2001, CW#1 went to Gady Pichardo Hilario's residence in Antwerp, Belgium. At that time, Pichardo Hilario

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3. This trip was verified through Customs records and CW#1's passport.

introduced CW#1 to Anthony who was present.<sup>4</sup> Pichardo Hiliario informed CW#1 that Anthony was in Belgium for the purpose of obtaining more MDMA which would then be resold in the United States. CW#1 indicated to your deponent that the Anthony CW#1 met at Pichardo Hilario's house was the same Anthony that CW#1 had called in Boston when s/he was in the United States in October of 2001. *because he recognized him by voice and CW#1* In addition, Pichardo Hilairo confirmed to CW#1 *the defendant spoke about the phone call mentioned in paragraph 4.* that Anthony was the same person whom CW#1 was to meet in the United States to collect money for a past shipment of MDMA.

7. CW#1 was shown a series of photographs by your deponent. CW#1 identified one of the photographs as that of "Anthony." The photograph CW#1 identified as Anthony was of the defendant PEDRO ANTONIO SANTOS. The photograph of the defendant PEDRO ANTONIO SANTOS was obtained from Belgium authorities who arrested the defendant PEDRO ANTONIO SANTOS on domestic drug charges on February 26, 2002, as the defendant PEDRO ANTONIO SANTOS attempted to board a flight to Newark, NJ with five kilograms of MDMA. At that time the defendant PEDRO ANTONIO SANTOS admitted to the Belgian authorities that he got the MDMA from Pichardo Hilario.


8. During the course of investigation into the Pichardo Hilario organization, your deponent learned that

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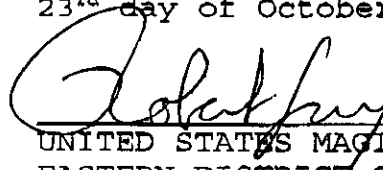
4. Customs records confirm that on December 23, 2001, the defendant PEDRO ANTONIO SANTOS flew to Belgium from JFK Airport.

Pichardo Hilario often received money from his distributors via wire transfers. Thereafter your deponent learned that the defendant PEDRO ANTONIO SANTOS, through a series of wire transfers, sent approximately \$9,000 from the United States to Pichardo Hilario in Belgium. Based upon your deponents training and experience it is believed that these wire transfers of United States Currency from the defendant PEDRO ANTONIO SANTOS to Pichardo Hilario were for the payment of MDMA received by the defendant PEDRO ANTONIO SANTOS from Pichardo Hilario.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant PEDRO ANTONIO SANTOS, also known as Anthony, so that he may be dealt with according to law.

  
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WILLIAM E. DAVIS  
Drug Enforcement Administration

Sworn to before me this  
23<sup>rd</sup> day of October, 2002

  
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UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK